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FLOOR DEBATE

April 16, 2002 LB 1185, 1194

body. Let me tell you a story. It's in the middle of the night. The fire alarm goes off and the fireman jumps out of...the volunteer fireman jumps out of bed. Somehow he manages to wrench his back and he then subsequently required hospitalization and surgery. His workers' comp claim was denied. Another example, fireman was hurrying out the door to go to the fire, stubs his toe on the doorway, broke his toe. Put in for workers' comp claim and it, too, was denied. Now were these firemen operating within their employment at the time of their injuries? Well, the current language indicates that they were. The current language says that those workers are covered from, when they are traveling, from anyplace from where they have been called to active duty. Well, since the claim was denied, some insurance companies must still feel that the current language is ambiguous. So we are further defining the language. And, by the way, this particular amendment is LB 1194, which did advance from the committee with no dissenting votes. For the record, I want to make it perfectly clear that this amendment states that volunteer firefighters and ambulance drivers are covered under workers' compensation insurance from the instant such persons commence responding to a call to active duty. Now this does not mean that they have to be actually at the fire. It does not mean that they are driving to the station, or almost to the station, or even putting on their fire boots, their coat, and their fireman's helmet. It means that they are responding to the fire call, whether that is getting out of bed in the middle of the night to get dressed to go to the fire, or bending over to shut off the lawn mower to go to the fire, or any other method of responding to the fire call. In 1963, there was a bill, LB 366, introduced by Lloyd Stalder. It dealt with a very similar issue. I'm going to quote the part of the introducer's statement of intent: this bill provides that all volunteer firemen shall be considered as being in the regular course of their employment from the time the fire alarm is sounded, rather than from the time they reach the fire station or the scene of the fire. So they are covered while traveling from anyplace to the fire station or scene of the fire. The committee statement of intent said pretty much the same thing: this bill provides that all volunteer firemen shall be considered as being in the regular course of their employment from the time the fire alarm is sounded. They would be covered